

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANGELA BORRELL,

Plaintiff,

v.

BLOOMSBURG UNIVERSITY,  
GEISINGER MEDICAL CENTER and  
ARTHUR F. RICHER and MICHELLE  
FICCA, in their individual and official  
capacities,

Defendants.

CIVIL ACTION NO. 3:12-CV-2123

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 3<sup>rd</sup> day of April, 2014, **IT IS HEREBY ORDERED:**

1. Defendants' Motion to Compel the request for ESI that Plaintiff sent to persons associated with the Nurse Anesthesia Program (NAP) (including students) is DENIED, and Plaintiff's Motion for Protective Order is MOOT.
2. Defendants' Motion to Compel the ESI that relates, discusses or concerns the NAP (including students' obligations to follow Geisinger Drug Policy) is DENIED, and Plaintiff's Motion for Protective Order is MOOT.
3. Defendants' Motion to Compel the request for ESI that relates to Plaintiff's drug use (including prescription drugs, marijuana and cocaine) and/or alcohol use is held in abeyance pending notice from Plaintiff within ten (10) days of the date of this Order as to whether Plaintiff is placing the issue of her drug use in issue. If so, an order will be issued granting this request and denying the Plaintiff's motion for protective order. If Plaintiff does not express this preference, the Motion to Compel is DENIED and Plaintiff's motion for a protective order is MOOT.
4. Defendant's Motion to Compel the request for ESI that relates to or discusses Frederick Yeastedt's or Kelley Borrell's use, possession or distribution of drugs is DENIED, and Plaintiff's Motion for a Protective Order is MOOT.

5. Defendants' Motion to Compel the request for ESI that evidences Plaintiff's communications with witnesses or potential witnesses in anticipation of Plaintiff's preliminary injunction hearing is GRANTED, and Plaintiff's Motion for a Protective Order is DENIED. This material should be produced within thirty (30) days of the date of this Order.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge